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5 IN THE UNITED STATES DISTRICT COURT  
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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8 UNITED STATES OF AMERICA,

No. C-07-00742 (EDL)

9 Plaintiff,

**ORDER GRANTING IN PART AND  
DENYING IN PART DEFENDANT'S  
MOTION**

10 v.

11 DAMIEN SEXTON,

12 Defendant.  
13 \_\_\_\_\_/

14 On March 11, 2008, Defendant filed a motion for discovery. For the reasons stated at the  
15 March 25, 2008 hearing, that motion is DENIED in part and GRANTED in part. Most of the issues  
16 raised in the motion are moot, as the parties have resolved those issues. As for Defendant's request  
17 for documents from United Airlines, that request is GRANTED IN PART pursuant to the terms of  
18 the order for issuance of pretrial subpoena duces tecum. The government need not obtain these  
19 documents itself, as such documents are not in the government's possession, custody, or control.

20 **IT IS SO ORDERED.**

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22 Dated: March 28, 2008

*Elijah D. Laporte*

23 ELIZABETH D. LAPORTE  
24 United States Magistrate Judge  
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